

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F045037**

**People v. Seneca Insurance Co.**

The judgment is affirmed. Vartabedian, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044541**

**Sons v. The Superior Court of Kern County; The People**

The petition for writ of prohibition is denied on the merits, including as to any issues not expressly discussed in the opinion, and the order to show cause is discharged. The stay of proceedings in the trial court is vacated. Vartabedian, Acting P.J.

We concur: Harris, J.; Levy, J.

[CERTIFIED FOR PUBLICATION]

**F044845**

**In re David G., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F044061**

**People v. Valenzuela et al.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F046265      Frank F. v. Superior Court Kern; Kern Co. Dept. of Human Services**  
The petition for extraordinary writ is denied. This opinion is final  
forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043574      Diaz et al. v. Fresno Dodge, Inc.**  
The judgment and the order for attorney fees are reversed. The  
trial court is directed to enter judgment in favor of appellant, Fresno  
Dodge, Inc. Costs on appeal are awarded to appellant. Levy, J.

We concur: Vartabedian, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F046276      In re Alondra C. et al., Minors**  
IT IS HEREBY ORDERED that the appeal in the above-entitled  
action is dismissed.

**F046279      People v. Howard**  
No brief having been filed by appellant after notice duly given  
under rule 17(a)(1) of the California Rules of Court, IT IS HEREBY  
ORDERED that the appeal in the above-entitled action is dismissed.

**F046059      People v. Banales**  
No brief having been filed by appellant after notice duly given  
under rule 17(a)(1) of the California Rules of Court, IT IS HEREBY  
ORDERED that the appeal in the above-entitled action is dismissed.

**F044761      People v. Mason**  
Counsel having failed to request oral argument in the above-  
entitled case, oral argument is deemed waived in accordance with the  
provisions of a notice heretofore mailed to counsel and the cause is  
submitted.

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**F044761      People v. Mason**

Mason's conviction in count 2 is reversed. The judgment is otherwise reversed and the cause is remanded with directions to the trial court to conduct an in camera hearing on appellant's discovery motion consistent with this opinion. If the hearing reveals no discoverable information in the personnel files of Officers Rodriguez, Tafoya, and Alvarez which would lead to admissible evidence helpful to appellant's defense, the trial court shall reinstate Mason's conviction in count 1 and resentence him on that count. If the in camera hearing reveals discoverable information bearing on the officers' excessive use of force which could lead to admissible evidence helpful to appellant in defense of the charge, the trial court shall grant the requested discovery, allow appellant an opportunity to demonstrate prejudice, and order a new trial if prejudice is demonstrated. [Citation]

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043928      Nugent v. Saint Agnes Medical Center et al.**

The superior court's order denying the hospitals petition for writ of administrative mandamus is affirmed. Costs on appeal are awarded to respondent. Ardaiz, P.J.

We concur: Vartabedian, J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F043085      People v. Zamora**

Appellant's petition for rehearing filed herein is denied.